INSTRUMENT PREPARED BY VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE OF VIRGINIA SECTION 451 561365 B AUG 26 13

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB 05/03/15-1416

ELECTIONS, UNIT: VC-536743

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL PARCELS AFFECTED BY THIS ORDER ARE SHOWN ON EXHIBIT (S) WHICH IS/ARE ATTACHED TO AND A PART OF THIS ORDER

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on April 19, 2005 and recorded in Deed Book Instrument # 200501744 in the Office of the Clerk of Circuit Court, Wise County, Virginia on April 27, 2005 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.

Findings: The Board finds that:

- The Board Order directed Equitable Production Company, (herein the (a) Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
- The designated operator filed its affidavit of mailing dated May 9, 2005, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

(c) The Board Order required each Respondent whose interests if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated July 28, 2005, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

(d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;

- (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
- 3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty,, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
- 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
- 5. <u>Conclusion:</u> Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this // day of Aug of 7 0 2005 by 20 majority of the Virginia Gas and Oil Board.
Chairman, Berny R. Wampler
DONE AND PERFORMED THIS 1723 day of August, 2005 by Order of this Board.
B. R. Wilson Principal Executive to the Staff Virginia Gas and Oil Board
STATE OF VIRGINIA .) COUNTY OF Lasting ton
Acknowledged on this
Diane G. Deulis Notary Public
My commission expires: 9/30/05
STATE OF VIRGINIA COUNTY OF La Deshington
Acknowledged on this day of , 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so.
Diane J. Davis Notary Public
My commission expires: 980/05

000071 AUG 26 13

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-536743 VGOB Docket No. VGOB-05/03/15-1416 in the Gladeville Magisterial District of Wise County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

- 1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
- 2. That the Order entered on April 19, 2005, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
- 3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
- 4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on April 27, 2005.
- 5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

NONE

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, for who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claiments or conflicting claiments under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

NONE

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

TRACT	LESSOR	CASHCO	NSIDERATION
4	Phylis Goodwin Evins Goodwin, w/h P.O. Box 1239 Gloucester, VA 23061		\$5.00 = \$3.68
	Roy Elmo Wiles Betty Wiles, h/w 1118 Park Ave Norton, VA 24273	0.9200 X	\$5.00 = \$4.60
	Monty L. Wiles Brenda Wiles, h/w Coleman Falls, VA 24		\$5.00 = \$4.60
	Clayton R. Wiles Loretta Wiles, h/w RT. 1 Box 766 Norton, VA 24273	0.9200 X	\$5.00 = \$4.60
	Paula S. Owens Gibso Billy Gibson, w/h P.O. Box 455 Norton, VA 24273	on 0.9200 X	\$5.00 = \$4.60
	Donna Wiles Taylor P.O. Box 1135 Norton, VA 24273	0.9200 X	\$5.00 = \$4.60

CASHCONSIDERATIONIC 26 13 TRACT **LESSOR** Lana W. Low 0.9200 X \$5.00 = \$4.60 P.O. Box 3417 Wise, VA 24293 Pamela W. Bowman 0.9200 X \$5.00 = \$4.60 Joseph Bowman, w/h P.O. Box 154 Norton, VA 24273 Carmella D. Wiles 0.9200 X \$5.00 = \$4.60 c/o Lana W. Low P.O. Box 3417 Wise, VA 24293

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45,1-361.21.D.

Dated at Kingsport, Tennessee, this

day of

2005.

Affiant

My commission expires: 1/-12-18

STATE OF NOTARY PUBLIC

3

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT	7 4 NES 28 REVENUE INTEREST	
	Gas Estate Only					
1 PIN 020666	Greater Wise Inc. P.O. Box 668 Wise, VA 24293	Leased-EPC 223095L	60.330000%	48.2700	0.07541250	RI
	Equitable Production Company				0.52788750	_ WI
Tract 1 Totals			60.330000%	48.2700	0.60330000	
2 PIN 020644	Greater Wise Inc. P.O. Box 668 Wise, VA 24293	Leased-EPC 223095L	19.890000%	15.9100	0.02486250	RI
	Equitable Production Company				0.17403750	WI
Tract 2 Totals			19.890000%	15.9100	0.19890000	
3 PIN 009236	William R. Bevins Sarah Frances Bevins, h/w 6110 Hurricane Road Wise, VA 24293	Leased - EPC 223152.02	0.460000%	0.3667	0.00057500	RI
	Robert Allen Bevins Ann Bevins, h/w Ballyknockane Ballypatrick Clonmel Co Tipperary Ireland	Leased - EPC 223152.03	0.460000%	0.3667	0.00057500	RI
	Home Federal Bank Successor Trust under The will of James Leonard Bevins, Dated May 30, 1990 Recorded in Will Book Page 388, Wise County, VA Clerk's Office P.O. Box 307 Johnson City, TN 37603-3007	Leased - EPC 223152.01 73,	0.460000%	0.3667	0.00057500	RI
	Equitable Production Company				0.01207500	WI
Tract 3 Totals			1.380000%	1.1000	0.01380000	
4 PIN 012138	Margaret Robinette P.O. Box 36 Big Rock, VA 24603	Leased - EPC 244400.03	Life Estate			
	Jennifer Collins George Collins, w/h Willow Woods E56 222 Allen Ave Radford, VA 24241	Leased - EPC 244400.01	0.920000%	0.7360	0.00115000	RI
	Cheryl Robinette P.O. Box 36 Big Rock, VA 24603	Leased - EPC 244400.08	0.920000%	0.7360	0.00115000	RI

Page 1 of 6

		V GOD 03/03/13	-1410			
TRACT	LESSOR Ronnie Robinette P.O. Box 36 Big Rock, VA 24603	LEASE STATUS Leased - EPC 244400.10	INTEREST WITHIN UNIT 0.920000%	ACREAGE IN UNIT 0.7360	AUG 26 B REVENUE INTEREST 0.00115000	RI
	Patricia Ramey Larry Ramey, w/h P.O. Box 468 Van Zandt, VA 24656	Leased - EPC 244400.09	0.920000%	0.7360	0.00115000	RI
	Jeffrey B. Robinette 315 Eissman Rd. Apt 49 Leesville, LA 71446	Leased - EPC 244400.07	0.920000%	0.7360	0.00115000	RI
	Michael Robinette Nina Robinette h/w 14 Rowan Havelock, NC 28532	Leased - EPC 244400.04	0.920000%	0.7360	0.00115000	RI
	Warren S. Robinette, Jr Carol Robinette, h/w 6601 Cougar Ct, Waldorf, MD 20603	Leased - EPC 244400.05	0.920000%	0.7360	0.00115000	RI
	Phylis Goodwin Evins Goodwin, w/h P.O. Box 1239 Gloucester, VA 23061	Unleased	0.920000%	0.7360	0.00115000	RI
	Betty Zieman Michael Zieman, w/h 2562 Ridgecrest Ave. Orange Park, FL 32065	Leased - EPC 244400.06	0.920000%	0.7360	0.00115000	RI
	Shirley Manley P.O. Box 7734 Roanoke, VA 24019	Leased - EPC 244400.02	0.920000%	0.7360	0.00115000	RI
	Roy Elmo Wiles Betty Wiles, h/w 1118 Park Ave Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Monty L. Wiles Brenda Wiles, h/w Coleman Falls, VA 24536	Unleased	1.150000%	0.9200	0.00143750	RI
	Clayton R. Wiles Loretta Wiles, h/w RT. 1 Box 766 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Paula S. Owens Gibson Billy Gibson, w/h P.O. Box 455 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Donna Wiles Taylor P.O. Box 1135 Norton, VA 24273	Unleased Page 2 of 6	1.150000%	0.9200	0.00143750	RI

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE	76NA₩G 2 REVENUE INTEREST	8 8
	Lana W. Low P.O. Box 3417 Wise, VA 24293	Unleased	1.150000%	0.9200	0.00143750	RI
	Pamela W. Bowman Joseph Bowman, w/h P.O. Box 154 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Carmella D. Wiles c/o Lana W. Low P.O. Box 3417 Wise, VA 24293	Unleased	1.150000%	0.9200	0.00143750	RI
	Equitable Production Company				0.16100000	WI
Tract 4 Totals	S		18.400000%	14.7200	0.18400000	
	TOTAL GAS ESTATE		100.000000%	80.0000	1.00000000	

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	ACREAGE IN UNIT	7 NET26 REVENUE INTEREST	02
	Coal Estate Only					
1	Greater Wise Inc. P.O. Box 668 Wise, VA 24293	Leased-EPC 223095L	60.330000%	48.2700	0.07541250	RI
	Equitable Production Company				0.52788750	_ WI
Tract 1 Totals			60.330000%	48.2700	0.60330000	
2	Greater Wise Inc. P.O. Box 668 Wise, VA 24293	Leased-EPC 223095L	19.890000%	15.9100	0.02486250	RI
	Equitable Production Company				0.17403750	WI
Tract 2 Totals		1 400	19.890000%	15.9100	0.19890000	
3	William R. Bevins Sarah Frances Bevins, h/w 6110 Hurricane Road Wise, VA 24293	Leased - EPC 223152.02	0.460000%	0.3667	0.00057500	RI
	Robert Allen Bevins Ann Bevins, h/w Ballyknockane Ballypatrick Clonmel Co Tipperary Ireland	Leased - EPC 223152.03	0.460000%	0.3667	0.00057500	RI
	Home Federal Bank Successor Trust under The will of James Leonard Bevins, Dated May 30, 1990 Recorded in Will Boo Page 388, Wise County, VA Clerk's Office P.O. Box 307 Johnson City, TN 37603-3007	Leased - EPC 223152.01 ok 73,	0.460000%	0.3667	0.00057500	RI
	Equitable Production Company				0.01207500	WI
Tract 3 Totals			1.380000%	1.1000	0.01380000	
4	Margaret Robinette P.O. Box 36 Big Rock, VA 24603	Leased - EPC 244400.03	Life Estate			
	Jennifer Collins George Collins, w/h Willow Woods E56 222 Allen Ave Radford, VA 24241	Leased - EPC 244400.01	0.920000%	0.7360	0.00115000	RI
	Cheryl Robinette P.O. Box 36 Big Rock, VA 24603	Leased - EPC 244400.08	0.920000%	0.7360	0.00115000	RI

		GOB 05/03/15	-1416			
TRACT	LESSOR Ronnie Robinette	LEASE STATUS Leased - EPC	INTEREST WITHIN UNIT 0.920000%	GROSS ACREAGE IN UNIT 0.7360	REVENUE INTEREST 0.00115000	SO RI
	P.O. Box 36 Big Rock, VA 24603 Patricia Ramey	244400.10 Leased - EPC	0.920000%	0.7360	0.00115000	RI
	Larry Ramey, w/h P.O. Box 468 Van Zandt, VA 24656	244400.09				
	Jeffrey B. Robinette 315 Eissman Rd. Apt 49 Leesville, LA 71446	Leased - EPC 244400.07	0.920000%	0.7360	0.00115000	RI
	Michael Robinette Nina Robinette h/w 14 Rowan Havelock, NC 28532	Leased - EPC 244400.04	0.920000%	0.7360	0.00115000	RI
	Warren S. Robinette, Jr Carol Robinette, h/w 6601 Cougar Ct, Waldorf, MD 20603	Leased - EPC 244400.05	0.920000%	0.7360	0.00115000	RI
	Phylis Goodwin Evins Goodwin, w/h P.O. Box 1239 Gloucester, VA 23061	Unleased	0.920000%	0.7360	0.00115000	RI
	Betty Zieman Michael Zieman, w/h 2562 Ridgecrest Ave. Orange Park, FL 32065	Leased - EPC 244400.06	0.920000%	0.7360	0.00115000	RI
	Shirley Manley P.O. Box 7734 Roanoke, VA 24019	Leased - EPC 244400.02	0.920000%	0.7360	0.00115000	RI
	Roy Elmo Wiles Betty Wiles, h/w 1118 Park Ave Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Monty L. Wiles Brenda Wiles, h/w Coleman Falls, VA 24536	Unleased	1.150000%	0.9200	0.00143750	RI
	Clayton R. Wiles Loretta Wiles, h/w RT. 1 Box 766 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Paula S. Owens Gibson Billy Gibson, w/h P.O. Box 455 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Donna Wiles Taylor P.O. Box 1135 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
		Page 5 of 6				

TRACT	LESSOR	LEASE STATUS	INTEREST () WITHIN UNIT	OGROSS O ACREAGE IN UNIT	REVENUE INTEREST	
	Lana W. Low P.O. Box 3417 Wise, VA 24293	Unleased	1.150000%	0.9200	0.00143750	RI
	Pamela W. Bowman Joseph Bowman, w/h P.O. Box 154 Norton, VA 24273	Unleased	1.150000%	0.9200	0.00143750	RI
	Carmella D. Wiles c/o Lana W. Low P.O. Box 3417 Wise, VA 24293	Unleased	1.150000%	0.9200	0.00143750	RI
	Equitable Production Company				0.16100000	WI
Tract 4 Totals	S		18.400000%	14.7200	0.18400000	
	TOTAL COAL ESTATE		100.000000%	80.0000	1.00000000	

INSTRUMENT #200503692
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
AUGUST 26, 2005 AT 01:19PM
J. JACK KENNEDY, JR., CLERK

Many

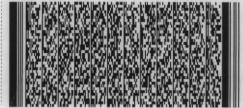


Instrument	Control	Number	
			Ī

Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

000066 AUG 26 B

	Cover Silect -	TOITINA			
	[ILS VLR Cover Sheet Agent 1.0.83]		REC	INSTRUMENT #2005 ORDED IN THE CLERK' WISE COUNTY	'S OFFICE OF
TO	Date of Instrument	: [08/15/05]		AUGUST 26, 2005 AT	
A C	Instrument Type:	[ORDER]		J. JACK KENNEDY, JA	R., CLERK
E		[1] [12]		RECORDED AK	JLS N
X				Dox of Deed 8	tamp Only
M	City County x	[Wise County	First and Second		
T	Last Name		First Name	Middle Name or Initia	al Suffix
H	[Virginia Gas and][1[]
	_ [][First and Second] [][]
	Last Name		First Name	Middle Name or Initia	al Suffix
	[Goodwin] [Phyllis][][]
	☐ [Goodwin] [Evins][][]
	Consideration [0.0	(Address 2) (City, State, Zip) 0] Exis	[Big Stone Gap ting Debt [0.00] Assumption Bal] [VA] [24219] lance [0.00]
	Prior Instr. Record Book [] Parcel Identificatio Tax Map Num. (i Short Property Des	Pag n No (PIN) f different than PIN)	Inty X [Wise Coule] [VC-536743 [020666 020644 ([Supplemental Or	Instr. No	n this Juris. [100] [200501744]
	Current Property A	Address (Address 1) (Address 2) (City, State, Zip)	[][][][
	Instrument Prepare Recording Paid for Return Recording	Ву	[Virginia Gas and [Department of M [Diane Davis [Division of Gas a [P. O. Box 1416	ines, Minerals & Energy]]]]
	Customer Case ID	(City, State, Zip)	[Abingdon [0503151416][] [VA] [24211]] []



			Commonwea Land Record Ins Continuation Co Form B [ILS VLR Cover Sheet A	over Sheet	000067 AUG 26 B	
T G A R X A N E T X C E M P	RAINTE	CORP	Date of Instrument: Instrument Type: Number of Parcels Number of Pages City County X	[08/15/05] [ORDER] [1] [12] [Wise County Grantors/Grantees	Box for Deed Stamp Only Parcel Continuation Form B)
T		Ш	Last Name	First Name	Middle Name or Initial	Suffix
			[Wiles [Wiles [Wiles [Wiles [Wiles [Wiles [Gibson [Gibson [Taylor [Low [Bowman [Bowman [Wiles [] [Roy] [Betty] [Monty] [Brenda] [Clayton] [Loretta] [Paulla] [Billy] [Donna] [Lana] [Pamela] [Joseph] [Carmella] [] [Elmo] [] [] [] [L.] [] [R.] [] [R.] [] [S. Owens] [] [Wiles] [] [W.] [W.] [] [D] [] [D] [] [] [D] [] [] [] [] [] [] [] [] [] [
			Prior Instr. Recorded Book [] Parcel Identification Tax Map Num. (if of Short Property Description	Page [No (PIN) [lifferent than PIN) [] Percent. in this Ju] Instr. No [ris. []
			Current Property Add	dress (Address 1) [(Address 2) [(City, State, Zip) [11][



Instrument Control Number